

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Scott N. Rogers

v.

Case No. 18-cv-740-SM

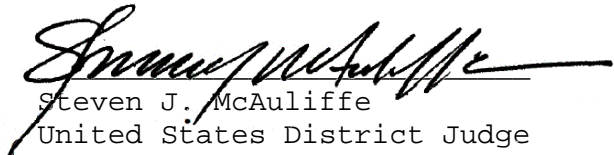
State of New Hampshire

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated September 10, 2018, for the reasons set forth therein.

The petition is dismissed for lack of subject matter jurisdiction. The motion for new trial is denied as moot (Doc. No. 3). Additionally, finding that the petitioner has failed to make substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.


Steven J. McAuliffe
United States District Judge

Date: October 23, 2018

cc: Scott N. Rogers, pro se